



Decision and Reasons for Decision

Citation: *V93 and TAFE Queensland [2026] QICmr 75 (13 May 2026)*

Application Number: 317820

Applicant: V93

Respondent: TAFE Queensland

Decision Date: 13 May 2026

Catchwords: ADMINISTRATIVE LAW - RIGHT TO INFORMATION - REFUSAL OF ACCESS - CONTRARY TO THE PUBLIC INTEREST INFORMATION - personal information of other individuals - whether disclosure would, on balance, be contrary to the public interest - whether access may be refused under section 67(1) of the *Information Privacy Act 2009 (Qld)* and section 47(3)(b) of the *Right to Information Act 2009 (Qld)*

ADMINISTRATIVE LAW - RIGHT TO INFORMATION - REFUSAL OF ACCESS - NONEXISTENT OR UNLOCATABLE DOCUMENTS - where agency has conducted searches - whether agency has taken all reasonable steps - where agency has described its processes to explain why documents do not exist - whether explanation is reasonable - whether access to documents may be refused on ground they are nonexistent or unlocatable - section 67(1) of the *Information Privacy Act 2009 (Qld)* and sections 47(3)(e) and 52(1) of the *Right to Information Act 2009 (Qld)*

DECISION

1. For the below reasons, I vary¹ the decision of TAFE Queensland (**TAFE**) and find:
 - access to a small amount of third party information may be refused on the ground its disclosure would, on balance, be contrary to the public interest under section 67(1) of the *Information Privacy Act 2009 (Qld)* (**IP Act**) and section 47(3)(b) of the *Right to Information Act 2009 (Qld)* (**RTI Act**);² and

¹ Under section 123(1)(b) of the IP Act.

² On 1 July 2025 key parts of the *Information Privacy and Other Legislation Amendment Act 2023 (Qld)* (**IPOLA Act**) came into force, effecting changes to the IP Act and RTI Act. As the applicant's application was made before this change, the IP Act and RTI Act **as in force prior to 1 July 2025** remain applicable to it. This is in accordance with transitional provisions in chapter 8, part 3 of the IP Act and chapter 7, part 9 of the RTI Act, which require that applications on foot before 1 July 2025 are to be dealt with as if the IPOLA Act had not been enacted. Accordingly, references to the IP Act and RTI Act in this decision are to those Acts. These may be accessed at <https://www.legislation.qld.gov.au/view/html/inforce/2024-12-31/act-2009-014> and <https://www.legislation.qld.gov.au/view/html/inforce/2024-12-31/act-2009-013> respectively.

- access to further documents responding to the application may be refused on the ground that they are nonexistent or unlocatable under section 67(1) of the IP Act and section 47(3)(e) of the RTI Act.
2. This means that no further information is to be released to the applicant.
 3. My reasons for the decision follow.



A Rickard
Assistant Information Commissioner

Date: 13 May 2026

REASONS FOR DECISION

Summary

4. The applicant applied³ to TAFE under the IP Act for access to documents about his TAFE studies in 2010 to 2015.⁴ In relation to four specific courses, he requested a range of documents relating to matters including his enrolment, academic results, conduct and welfare.
5. TAFE did not make a decision by the end of the processing period and was therefore deemed to have made a decision refusing access to all of the requested documents.⁵
6. The applicant applied to the Office of the Information Commissioner (**OIC**) for an external review.⁶ During the review, several documents were located by TAFE and released to the applicant. The applicant considers that further responsive documents should have been located and has made detailed submissions questioning the sufficiency of TAFE's searches.

Background

7. When the applicant did not receive a decision from TAFE regarding his access application mentioned at paragraph 4 above (**First Application**), he submitted a further request to TAFE (**Second Application**).⁷ The Second Application was expressed in somewhat different terms, but generally sought the same types of documents regarding the same TAFE studies undertaken by the applicant. TAFE made a decision regarding the Second Application,⁸ and the applicant applied to OIC for review of that decision,⁹ as well as a review of TAFE's deemed decision regarding the First Application.
8. It was apparent to OIC that there was some confusion regarding whether the applicant's Second Application clarified the First Application, or comprised a further application. The material before OIC suggested the latter.¹⁰ Regardless, the applicant was agreeable to withdrawing his application for review of the Second Application.¹¹ Accordingly, OIC progressed the review regarding the First Application.
9. Given the similarity of the terms of the First Application and the Second Application, TAFE's searches in response to the Second Application are relevant in the context of this review. So too are the documents released to the applicant pursuant to TAFE's decision regarding the Second Application. However, it is the terms of the First Application that I must consider when addressing the applicant's concerns about whether TAFE has taken all reasonable steps to locate responsive documents.¹²
10. Towards the end of the applicant's TAFE studies, there were changes to the governance of TAFE. These changes, combined with the types of changes to document management systems as may be expected over the decade since the applicant's TAFE studies, have made consideration of whether TAFE has conducted all reasonable searches a relatively lengthy and complex process.

³ Received on 17 November 2023, and considered compliant on 6 December 2023 following the provision of evidence of identity.

⁴ The time period specified across the application was 1 January 2010 to 1 January 2015.

⁵ Section 66(1) of the IP Act.

⁶ External review application received on 7 February 2024.

⁷ On 18 January 2024.

⁸ On 8 February 2024 (TAFE reference RTI24181).

⁹ External review 317876.

¹⁰ In which case a review regarding the Second Application would require consideration of the ground of refusal in section 62 of the IP Act.

¹¹ As confirmed in letter to applicant dated 1 August 2024.

¹² As confirmed in emails with TAFE on 6 to 8 August 2024.

Reviewable decision

11. The reviewable decision is TAFE's deemed decision refusing access to all of the documents requested in the applicant's access application mentioned at paragraph 4above – that is, the First Application.

Evidence considered

12. The evidence, submissions, legislation and other material I have considered in reaching my decision are set out in these reasons including footnotes. I have taken the applicant's submissions into account to the extent they are relevant to the issues for determination.
13. I have also had regard to the *Human Rights Act 2019* (Qld) (**HR Act**), particularly the right to seek and receive information.¹³ A decision-maker will be '*respecting, and acting compatibly with*' that right, and others prescribed in the HR Act, when applying the law prescribed in the IP Act and RTI Act.¹⁴ I have acted in this way in making this decision, in accordance with section 58(1) of the HR Act.

Issues for determination

14. The two issues for determination in this review are:
- whether access to the certain information in issue may be refused on the ground its disclosure would, on balance, be contrary to the public interest; and
 - whether access to further documents responding to the applicant's application may be refused on the ground they do not exist or cannot be located.¹⁵

First issue for determination	Can access to information be refused on the ground its disclosure would, on balance, be contrary to the public interest?
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15. The information in issue comprises parts of 12 pages located and released to the applicant by TAFE during the external review.¹⁶ This information may be categorised as: the name,¹⁷ mobile telephone number, signature, residential and postal address of third parties. The applicant did not respond to my preliminary view that disclosure of the information in issue would, on balance, be contrary to the public interest.¹⁸

Relevant law

16. Under section 40 of the IP Act, an individual has a right to be given access to documents of an agency to the extent they contain the individual's personal information.¹⁹ This right

¹³ Section 21(2) of the HR Act.

¹⁴ *XYZ v Victoria Police (General)* [2010] VCAT 255 (16 March 2010) (**XYZ**) at [573], wherein Bell J observed that '*it is perfectly compatible with the scope of that positive right in the Charter for it to be observed by reference to the scheme of, and principles in, the Freedom of Information Act*' on the interaction between equivalent pieces of Victorian legislation; *Horrocks v Department of Justice (General)* [2012] VCAT 241 (2 March 2012) at [111]. I further note that OIC's approach to the HR Act set out in this paragraph was considered and endorsed by the Queensland Civil and Administrative Tribunal (**QCAT**) in *Lawrence v Queensland Police Service* [2022] QCATA 134 at [23] (where Justice Member McGill saw '*no reason to differ*' from OIC's position).

¹⁵ The Information Commissioner (or their delegate) can decide any matter in relation to the access application that could, under the IP Act have been decided by the agency dealing with the application – see section 118(1)(b) of the IP Act.

¹⁶ On 22 May 2025.

¹⁷ The name of the third party appears in two contexts – first, where the third party's name is recorded, and second, as the username component of an email address. While the username remains in issue, the @symbol and domain name component of the email have been disclosed.

¹⁸ TAFE did not object to OIC's preliminary view in relation to this information.

¹⁹ '*Personal information*' is defined in section 12 of the IP Act as '*information or an opinion, including information or an opinion forming part of a database, whether true or not, and whether recorded in a material form or not, about an individual whose identity is apparent, or can reasonably be ascertained, from the information or opinion*'.

is subject to limitations, including grounds for refusal of access. Access to information may be refused where disclosure would, on balance, be contrary to the public interest.²⁰

17. The RTI Act identifies various factors that may be relevant to deciding the balance of the public interest and explains the steps that a decision-maker must take in deciding the public interest as follows:²¹
 - identify any irrelevant factors and disregard them²²
 - identify relevant public interest factors favouring disclosure and nondisclosure
 - balance the relevant factors favouring disclosure and nondisclosure; and
 - decide whether disclosing the information in issue would, on balance, be contrary to the public interest.
18. Non-exhaustive lists of factors that may be relevant in determining where the balance of the public interest lies in a particular case are set out in schedule 4 of the RTI Act. Nearly all of the factors contain the phrase '*could reasonably be expected to*'. This phrase means that the relevant expectation must be reasonably based: that is, there must be real and substantial grounds for expecting the relevant occurrence, which can be supported by evidence or cogent reasoning.²³

Findings

19. I do not consider that any irrelevant factors arise, and I have taken none into account.
20. I consider that disclosure of the information in issue could reasonably be expected to reveal the personal information of a third party, causing a public interest harm;²⁴ and prejudice the protection of the third party's right to privacy.²⁵ The applicant is of course aware of the nature of the information requested by him. Further, nearly all the information surrounding the information in issue has been released to him. It is thus possible that the applicant may, at some point, have received or been aware of information such as the information in issue. The particular circumstances support some reduction in the weight that I would otherwise give these two factors, and I therefore consider they should be given moderate weight.
21. I have also considered whether disclosure of the information in issue would advance any of the factors in schedule 4, part 2 of the RTI Act. However, taking into account the nature of this information and the context in which it appears, I cannot see how its disclosure could reasonably be expected to advance any of these factors. For example,

²⁰ Section 67(1) of the IP Act and section 47(3)(b) of the RTI Act. The 'public interest' '*...is a term embracing matters, among others, of standards of human conduct and of the functioning of government and government instrumentalities tacitly accepted and acknowledged to be for the good order of society and for the well-being of its members. The interest is therefore the interest of the public as distinct from the interests of an individual or individuals*': *Director of Public Prosecutions v Smith* (1991) 1 VR 63. The concept refers to considerations affecting the good order and functioning of the community and government affairs for the well-being of citizens. This means that, in general, a public interest consideration is one which is common to all members of, or a substantial segment of, the community, as distinct from matters that concern purely private or personal interests, although there are some recognised public interest considerations that may apply for the benefit of an individual: Chris Wheeler, 'The Public Interest: We Know It's Important, But Do We Know What It Means' (2006) 48 *AIAL Forum* 12, 14.

²¹ Section 49(3) of the RTI Act.

²² No irrelevant factors arise in the circumstances of this case and I have not taken any into account in making this decision.

²³ There cannot be merely an assumption or allegation that the occurrence will take place, nor an expectation of an occurrence that is merely a possibility or that is speculative, conjectural, hypothetical or remote: *Murphy and Treasury Department* (1995) 2 QAR 744 at [44] (*Murphy*), citing *B and Brisbane North Regional Health Authority* (1994) 1 QAR 279 at [160]. See also *Attorney-General's Department and Australian Iron and Steel Pty Ltd v Cockcroft* (1986) 10 FCR 180. Whether the expected consequence is reasonable requires an objective examination of the relevant evidence: *Murphy* at [45]-[47]. Importantly, the expectation must arise as a result of disclosure of the specific information in issue, rather than from other circumstances: *Murphy* at [54].

²⁴ Schedule 4, part 4 section 6(1) of the RTI Act.

²⁵ Schedule 4, part 3, item 3 of the RTI Act.

I cannot see how disclosure of this information could reasonably be expected to enhance TAFE's accountability or inform the community of its operations.²⁶

22. In summary, I have identified no public interest factors favouring disclosure, but consider that two factors favouring nondisclosure are relevant and warrant moderate weight. Having undertaken the balancing process in section 49(3) of the RTI Act, I am satisfied that it would, on balance, be contrary to the public interest to disclose the information in issue, and that this information may be refused on this ground.²⁷

Second issue for determination Can access to certain documents be refused on the ground they do not exist or cannot be located?

Relevant law

23. The Information Commissioner's external review functions include investigating whether agencies have taken reasonable steps to identify and locate documents applied for by applicants.²⁸ However, access to information may be refused in circumstances where a document is nonexistent or unlocatable.²⁹
24. A document will be *nonexistent* if there are reasonable grounds to be satisfied it does not exist.³⁰
25. To be satisfied that a document does not exist, the Information Commissioner has previously had regard to various key factors, including an agency's record keeping practices and procedures (including, but not limited to, its information management approaches).³¹ By considering relevant factors, the decision maker may conclude that a particular document was not created because, for example, the agency's processes do not involve creating that specific document. In such instances, it is not necessary for the agency to search for the document. It is sufficient that the relevant circumstances accounting for the nonexistent document are adequately explained by the agency.
26. The Information Commissioner may also consider the searches and inquiries conducted by an agency in determining whether a document is nonexistent. The key question then is whether those searches and inquiries amount to '*all reasonable steps*'.³² What constitutes reasonable steps will vary from case to case, as the search and inquiry process an agency will be required to undertake will depend on which of the key factors are most relevant in the particular circumstances. Such steps may include inquiries and searches of all relevant locations identified after consideration of relevant key factors.³³
27. A document is *unlocatable* if it has been or should be in the agency's possession and all reasonable steps have been taken to find it, but it cannot be found.

²⁶ Schedule 4, part 2, items 1 and 3 of the RTI Act.

²⁷ Under section 67(1) of the IP Act and section 47(3)(b) of the RTI Act.

²⁸ Section 137(2) of the IP Act. The Information Commissioner also has power under section 115 of the IP Act to require additional searches be conducted during an external review. QCAT confirmed in *Webb v Information Commissioner* [2021] QCATA 116 at [6] (**Webb**) that the RTI Act '*does not contemplate that [the Information Commissioner] will in some way check an agency's records for relevant documents*' and that, ultimately, the Information Commissioner is dependent on the agency's officers to do the actual searching for relevant documents.

²⁹ Sections 47(3)(e) and 52(1) of the RTI Act.

³⁰ Section 52(1)(a) of the RTI Act. For example, a document has never been created.

³¹ *Pryor and Logan City Council* (Unreported, Queensland Information Commissioner, 8 July 2010) (**Pryor**) at [19] which adopted the Information Commissioner's comments in *PDE and University of Queensland* (Unreported, Queensland Information Commissioner, 9 February 2009) (**PDE**) at [37]-[38]. *PDE* addresses the application of section 28A of the now repealed *Freedom of Information Act 1992* (Qld). Section 52 of the RTI Act is drafted in substantially the same terms as the provision considered in *PDE* and, therefore, the Information Commissioner's findings in *PDE* are relevant.

³² As set out in *PDE* at [49].

³³ As set out in *PDE* at [38].

28. In determining whether a document is unlocatable, it is necessary to consider the specific circumstances of each case,³⁴ and in particular, whether:³⁵
- there are reasonable grounds to be satisfied that the requested documents have been or should be in the agency's possession; and
 - the agency has taken all reasonable steps to find the document.
29. The agency that made the decision under review has the onus of establishing that the decision was justified, or the Information Commissioner should give a decision adverse to the applicant.³⁶ However, where an external review involves the issue of missing documents, the applicant bears a practical onus to establish reasonable grounds which demonstrate that the agency has not discharged its obligation to take all reasonable steps to locate the requested documents. Suspicion and mere assertion will not satisfy this onus.³⁷ In assessing an agency's searches, the relevant question is whether the agency has taken *all reasonable steps* to identify and locate documents, as opposed to *all possible steps*.³⁸

The applicant's request

30. The First Application which is the subject of this review requested four categories of documents, each of which was divided into eight or nine parts as follows:

Category	Relating to	Parts
1 – Certificate II Electrotechnology documents	Relating to the applicant's study of a Certificate II Electrotechnology course at a particular TAFE entity (SkillsTech) for the period 1 January 2010 to 1 January 2011	Part 1 Admission and enrolment Part 2 Academic Part 3 Learning support Part 4 Behaviour management Part 5 Student misconduct Part 6 Student welfare Part 7 Workplace Health and Safety Part 8 Vocational Placement; and Part 9 Other.
2 – Senior Studies documents	the applicant's study of a Senior Studies program at a particular TAFE institute for the period 1 January 2011 to 1 January 2012	Part 1 Admission and enrolment Part 2 Academic Part 3 Learning support Part 4 Behaviour management Part 5 Student misconduct Part 6 Student welfare Part 7 Workplace Health and Safety; and Part 8 Other.
3 – Certificate III Electrotechnology documents	the applicant's study of a Certificate III Electrotechnology course at a particular TAFE entity (SkillsTech) for the period 1 June 2011 to 1 January 2014	Part 1 Admission and enrolment Part 2 Academic Part 3 Learning support Part 4 Behaviour management Part 5 Student misconduct Part 6 Student welfare Part 7 Workplace Health and Safety Part 8 Apprenticeship; and Part 9 Other.

³⁴ Pryor at [21].

³⁵ Section 52(1)(b) of the RTI Act.

³⁶ Section 100(1) of the IP Act.

³⁷ Parnell and Queensland Police Service [2017] QICmr 8 (7 March 2017) at [23].

³⁸ See Webb at [6], where Judicial Member McGill observed that 'even if, at least in theory, further and better searches might possibly disclose additional documents'... '[t]he question in any particular case is whether the tests in s 52 of the Act have been met'.

4 – Diploma of Business and Commerce documents	the applicant's study of a Diploma of Business and Commerce at a particular TAFE location for the period 1 January 2014 to 1 January 2015	Part 1 Admission and enrolment Part 2 Academic Part 3 Learning support Part 4 Behaviour management Part 5 Student misconduct Part 6 Student welfare Part 7 Workplace Health and Safety Part 8 Human research; and Part 9 Other.
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31. For each of the eight or nine parts in each of the four categories, the applicant listed various types of documents sought by him. In the interests of brevity, these are not set out in this decision.

Documents located and searches conducted

32. The following documents have been located and released to the applicant by TAFE:

Pursuant to TAFE's decision regarding the Second Application³⁹	As a result of further searches conducted at OIC's request in the present review regarding the First Application⁴⁰
Category 1 – Certificate II Electrotechnology documents	
	a) a document regarding the applicant's electrical apprenticeship and associated studies (Certificate II and III Electrotechnology)
Category 2 – Senior Studies documents	
a) an interim report regarding the applicant's Senior Studies dated April 2011 b) a report for semester one of the applicant's Senior Studies dated 22 July 2011 c) a report for semester two of the applicant's Senior Studies dated 15 December 2011 (containing no substantive comments)	b) assessment item 7 for Senior Studies, Maths A completed by the applicant c) assessment item 8 for Senior Studies, Maths A completed by the applicant d) assessment item 9 for Senior Studies, Maths A completed by the applicant e) observation regarding assessment task 1 for Senior Studies, Social and Community Studies regarding the applicant f) Student Training Plan for Certificate III Electrotechnology last modified on 20 March 2012 (unsigned)
Category 3 – Certificate II Electrotechnology documents	
	-) see document at a) above g) Student Training Plan for Certificate III Electrotechnology last modified on 20 March 2012 (signed by the applicant, employer and SkillsTech); and h) Student Training Plan for Certificate III Electrotechnology last modified on 27 April 2012 (unsigned)
Category 4 – Diploma of Business and Commerce	
	i) request for VET FEE-HELP assistance form signed by the applicant on 13 February 2014 j) request for VET FEE-HELP assistance form signed by the applicant on 31 July 2014 k) Legacy CRM notes regarding contact with the applicant

³⁹ As mentioned at paragraph 7 above.

⁴⁰ TAFE provided some of these documents to OIC on 28 August 2024, and the rest on 17 March 2025. TAFE released copies of all of these documents to the applicant on 22 May 2025. At this time, TAFE also provided further copies of the documents at d) and e) in the first column of this table.

All categories	
d) an unofficial academic history of the applicant's TAFE studies; and e) an academic history of the applicant's TAFE studies.	l) ISAS details regarding the applicant's enrolment in TAFE subjects m) an unofficial academic history of the applicant's TAFE studies; and n) an academic history of the applicant's TAFE studies.

33. TAFE also provided OIC with information about its searches and inquiries to locate responsive documents.

Preliminary view to applicant

34. After considering the information provided by TAFE,⁴¹ I wrote to the applicant⁴² to convey a preliminary view that TAFE had conducted all reasonable steps to locate relevant documents and that further documents are nonexistent or unlocatable. My preliminary view addressed the various parts of the four categories as follows.⁴³

Category 1 – Certificate II Electrotechnology documents

35. For Part 1 Admission and enrolment of Category 1, the preliminary view stated:

The following locations were searched:

Student Management System (SMS)^[44]

Student course summary data was transferred to SMS (in or around October 2018) from the previous Toledo system.

SMS was searched to access any information that was transferred from Toledo relevant to apprentice agreement/enrolments/communication history.

Search terms used: [applicant's first and last name], [shortened version of applicant's first name and his last name], date of birth, student number and registration number.

No documents were located.

Business to Employer System (B2E)^[45]

B2E was searched to access apprenticeship information relevant to bookings/trainings.

Search terms used: [applicant's first and last name], date of birth, student number and registration number.

No documents were located.

⁴¹ Emails to OIC dated 7 March 2024, 16 April 2024, 8 August 2024, 28 August 2024, 27 February 2025, 17 March 2025 and 15 May 2025.

⁴² Letter to applicant dated 20 May 2025.

⁴³ Note – Footnotes in quoted text enclosed in [square brackets] have been added for the purpose of this decision. Other footnotes in quoted text without square brackets were included in the preliminary view, but now use this decision's consecutive footnote numbering.

⁴⁴ On 9 October 2025, TAFE provided the following information about information stored in SMS: *Student course summary data was transferred across to SMS from Toledo system. SMS is used for any enrolments or active student agreements, communication and financial history and relevant documentation. A platform that connects TAFE Qld staff and students with academic, financial, and personal information. SMS serves as a central database for a variety of student-related tasks and processes.*

⁴⁵ On 9 October 2025, TAFE provided the following information about information stored in B2E: *B2E is used for TAFE student attendance records/bookings.*

Delta^[46]

Delta was searched to identify relevant contractual information (including employer details, apprentice information, contract start and end date etc.)

Search terms used: '[applicant's first and last name]', date of birth, student number and registration number.

The further information located in Partner Portal (below) was also current in Delta.

Partner Portal (DET Connect)^[47]

The portal was searched to obtain [the applicant's] academic history and to retrieve [his] training contract/training activity details.

Search terms used: '[applicant's first and last name]', date of birth, student number and registration number.

Further information was located and I ... asked TAFE to release this to [the applicant] by 28 May 2025.^[48]

G:Drive

The TAFE Skillstech drive was searched because it previously held hard copies of relevant documents (student files) for apprentices. This drive is no longer being utilised.

Search terms used: '[applicant's first and last name]', [shortened version of applicant's first name]', date of birth, student number and registration number.

No documents were located.

Toledo^[49]

Toledo is decommissioned and the search officer noted there was limited information/access available to search.

Search terms used: '[applicant's first and last name]', date of birth, student number and registration number.

No documents were located.

DRSWEB^[50]

⁴⁶ On 9 October 2025, TAFE provided the following information about information stored in Delta: *DELTA is a database maintained by DTET [i.e. the Department of Trade, Employment and Training] with student registration information. It is an apprentice contract registration system. ... DELTA is used by DTET to register apprentices and trainees. It includes training contract information and status as well as Start & End Dates of apprenticeship contract, the course program they are registered to study, the personal details of the apprentices/trainees including the school if they are School based students as well as the employers address, contact details, ABN and the DTET regional office that manages the apprentice/trainees contract. It will also identify the Completion, Cancellation and Change of SRTO dates.*

⁴⁷ On 9 October 2025, TAFE provided the following information about information stored in Partner Portal/DETConnect: *Contractual information for apprentices / trainees and student award information. Includes academic history of apprentice. ... Partner Portal/DETConnect are one in the same system. Old name of the system was DETConnect and the new version of the system is now Partner Portal. All information previously accessible in DETConnect is in Partner Portal. Partner Portal is DTET's Live system which shows contractual details for apprentices/trainees and is limited to RTO specific logins. It shows the same information as a DELTA as well as Time served for each apprenticeship and also includes previous studies and awards where student may have completed it with units and status for each course. It also shows any previous Apprenticeship contracts they have completed or cancelled and received User Choice Funding.*

⁴⁸ TAFE released this information on 22 May 2025.

⁴⁹ On 9 October 2025, TAFE provided the following information about information stored information in Toledo: *Student course summary data.*

⁵⁰ On 9 October 2025, TAFE provided the following information about information stored information in DRS/DRSWEB: *Legacy system that retains College Administration Program (1992-2004) and ISAS (Institute Student Administration System (2004-2018) and historical records (1979-2004). Includes information about recognition of prior learning ('RPL').*

DRS was searched to ascertain whether any recognition of prior learning had been completed.

Search terms used: [applicant's first and last name]', date of birth, student number and registration number.

No documents were located.

Microsoft Dynamics

Microsoft Dynamics was searched due to previous record keeping and admission processes.

Search terms used: [applicant's first and last name]', [shortened version of applicant's first name]', date of birth, student number and registration number.

No documents were located.

RAD database / Grace Records Management and Archives registry^[51]

TAFE explained that records archived between 2009-2022 were registered using the RAD database and records registered after 2022 are stored on a registry provided by the secondary storage provider, Grace. These searches identified [the applicant's] assessment files. TAFE has provided a copy of destruction records which confirm that [the applicant's] assessment files were destroyed in 2013 and 2016.

Search terms used: [applicant's first and last name]' and student number. The searches were filtered to exclude records that did not represent the relevant year, team, campuses and classifications.

The above searches were completed by staff in Enrolments, Apprenticeship Management and Records Management.

36. For Part 2 Academic, Part 5 Student misconduct, Part 8 Vocational Placement and Part 9 Other of Category 1, the preliminary view stated:

The following locations were searched:

- * RAD database
- * Grace Records Management and Archives registry

under [applicant's first and last name]' and [the applicant's] student number. The searches were filtered to exclude records that did not represent the relevant year, team, campuses and classifications.

The above searches were completed by a Senior Records Officer (Records Management).

The reason why these searches were completed and the search results are explained at [paragraph 35 of this decision] above.

37. For Part 3 Learning support, Part 4 Behaviour management and Part 6 Student welfare of Category 1, the preliminary view stated:

The following locations were searched:

- * BKSBLive

⁵¹ On 9 October 2025, TAFE provided the following information about information stored in Grace Records Management / Archives: *Archiving and records management with offsite storage*. ... It also provided the following information regarding the RAD database: *The RAD database is a registry of documents held by Grace Archives (i.e. metadata only). The RAD database is not relevant to all records searched as it is specific to SkillsTech programs only.*

- * READ Archiving
- * G Drive Student Services Learning Support – archived counsellor records
- * RAD database
- * Grace Records Management and Archives registry

under '[applicant's first and last name]' and [the applicant's] student number. The searches were filtered to exclude records that did not represent the relevant year, team, campuses and classifications.

The above searches were completed by staff in Student Support Services and a Senior Records Officer (Records Management).

The reason why BKSBLive, READ Archiving and G:Drive were searched is because information about students who have accessed Student Support Services are saved in these locations.

No documents were located in these locations.

The reason why the searches in the RAD database and Grace registry were completed and the search results are explained at [paragraph 35 of this decision] above.

38. For Part 7 Workplace Health and Safety of Category 1, the preliminary view stated:

The following locations were searched:

- * G:\Resource Management\Workplace Health & Safety
- * All Outlook Items from the Health Safety and Wellness Manager's email account.
- * RAD database
- * Grace Records Management and Archives registry

under '[applicant's first and last name]' and [the applicant's] student number.

The above searches were completed by the Health Safety and Wellness Manager (Health, Safety and Wellness) and a Senior Records Officer (Records Management).

The reason why G:Drive and the Manager's Outlook account were searched is because information about WH&S incidents would have been saved in these locations. No documents were located in these locations. TAFE confirmed that no records existed.

The reason why the searches in the RAD database and Grace registry were completed and the search results are explained at [paragraph 35 of this decision] above.

Category 2 – Senior Studies documents

39. For Part 1 Admission and enrolment of Category 2, the preliminary view stated:

The following locations were searched:

TQB Client Service Centre CRM^[52]

The CRM was searched because it contains legacy student interactions/documents and notes.

Search terms used: '[applicant's first and last name]', '[9 digit number]', 'Diploma of Business and Commerce (2014)', 'QCAA Program (Senior Studies) (2011)'.

⁵² TQB is an acronym for TAFE Queensland Brisbane. On 9 October 2025, TAFE provided the following information about information stored in TQB Client Service Centre CRM: *Customer engagement and conversation at every student touchpoint via email, phone, task, text message, web chat and appointment management for inquiries, applications, offers, admissions and enrolments.*

TAFE located interaction records. I ... asked TAFE to release these to [the applicant] by 28 May 2025. The officer performing the searches also checked the 'TQB SEE' (Student Eligibility Evidence) cache and there was no information recorded about [the applicant].

SMS – CIAnywhere

SMS was searched to locate supporting documentation and/or interactions about [the applicant's] student history.

Search terms used: '[applicant's first and last name]', '[9 digit number]'.

The officer performing the searches identified legacy interactions and TAFE Customer Service Team retrieved the following documents:

- * Student training plan (signed) – Electrotechnology dated 6 July 2012
- * Student training plan – Electrotechnology generated on 27 April 2012
- * Student training plan – Electrotechnology generated on 20 March 2012
- * Request for VET FEE-HELP – Diploma of Business and Commerce dated 13 February 2014
- * Request for VET FEE-HELP – Diploma of Business and Commerce dated 31 July 2014

I ... asked TAFE to release these documents to [the applicant] by 28 May 2025.^[53]

DRSWEB

The DRSWEB Legacy Reporting System was searched to access enrolment documents.

Search terms used: 'Student Enrolments' 'AVETMISS'.^[54] These are the most relevant reports to confirm further enrolment (Student Enrolments) and for personal details (AVETMISS).

TAFE located ISAS details (AVETMISS) and legacy CRM entries. I ... asked TAFE to release this information to [the applicant] by 28 May 2025.^[55]

Grace Records Management and Archives

Grace archives was searched to locate filing/batching of hard copy documentation - student personal details form and enrolment selection forms.

Search terms used: 'Enrolments 2014', 'Enrolments 2011', '[suburb]' and '[applicant's first and last name]'.

No documents were located.

The above searches were completed by the Customer Service Centre Manager and Customer Service Operations Co-Ordinator.

40. For Part 2 Academic of Category 2, the preliminary view stated:

The following locations were searched:

- * Internal drive⁵⁶
- * Grace Records Management and Archives

⁵³ TAFE released this information on 22 May 2025.

⁵⁴ AVETMISS - Australian Vocational Education and Training Management Information Statistical Standard (AVETMISS) for VET providers is a national data standard that ensures the consistent and accurate capture and reporting of VET information about students, providers, courses and training outcomes.

⁵⁵ TAFE released this information on 22 May 2025.

⁵⁶ Institute Drive ([particular TAFE institute]) Legacy Drive – A network storage space shared with the rest of the organisation.

Search terms used: [applicant's first and last name], [shortened version of applicant's first name], [the applicant's] student number and the following course codes '39170QLD,⁵⁷ 39171QLD,⁵⁸ 10088NAT,⁵⁹ CN920,⁶⁰ QCAA Program, QCAA Program (Senior Studies), Senior Studies 2011'.

These locations were searched because:

** [the applicant's] study was undertaken in 2011 and the internal drive was where records were stored from the previous CRM system for the school*

** student administration records are stored in Grace archiving.*

Searches in the internal drive were completed by staff in Senior College and Community Pathways and in archives by a Senior Information Officer.

These searches located the following documents:

** Senior Studies Report Cards 2011*

** Assessment Task 1 – Observation*

** Mathematics A Assessment Items #7, #8 and #9.*

I ... asked TAFE to release this information to [the applicant] (excluding the report cards as [the applicant] have already been provided this information) by 28 May 2025.^[61]

41. For the remaining parts of Category 2 – that is, Part 3 Learning support, Part 4 Behaviour management, Part 5 Student misconduct, Part 6 Student welfare, Part 7 Workplace health and safety and Part 8 Other – the preliminary view stated:

The searches for these documents are explained [regarding Part] 2. above.

No documents were located nor any evidence following the above searches that documents existed.

Category 3 – Certificate III Electrotechnology documents

42. For Part 1 Admission and enrolment of Category 3, the preliminary view stated:

The searches conducted in relation to the Cert II above were also completed for the Cert III by the same officers. Please see the explanation of these searches ... at [paragraph 35 of this decision] regarding 'TAFE Qld (SkillsTech) Cert II – Electrotechnology'.

Further documents were located and I ... asked TAFE to release these to [the applicant] by 28 May 2025.^[62]

TAFE explained that records archived between 2009-2022 were registered using the RAD database and records registered after 2022 are stored on the registry provided by the secondary storage provider, Grace. These searches identified [the applicant's] administration and assessment files. TAFE has provided a copy of destruction records which confirm that [the applicant's] administration file was destroyed in 2021 and [the applicant's] assessment file was destroyed in 2020.

43. For Part 2 Academic, Part 5 Student misconduct, and Part 9 Other of Category 3, the preliminary view stated:

⁵⁷ Course in Pre-Training Assessment – Vocational Literacy.

⁵⁸ Course in Pre-Training Assessment – Vocational Numeracy.

⁵⁹ Certificate I in Access to Work and Training.

⁶⁰ QCAA Program (Senior Studies).

⁶¹ TAFE released this information on 22 May 2025.

⁶² TAFE released this information on 22 May 2025.

The following locations were searched:

- * RAD database
- * Grace Records Management and Archives registry

under “[applicant’s first and last name]” and [the applicant’s] student number. The searches were filtered to exclude records that did not represent the relevant year, team, campuses and classifications.

The above searches were completed by a Senior Records Officer (Records Management).

The reason why these searches were completed and the search results are explained at [paragraph 35 of this decision] ... regarding TAFE Qld (SkillsTech) Cert II - Electrotechnology.

44. For Part 3 Learning support, Part 4 Behaviour management and Part 6 Student welfare of Category 3, the preliminary view stated:

The following locations were searched:

- * BKSBLive
- * RAD Archiving
- * G Drive Student Services Learning Support – archived counsellor records
- * RAD database
- * Grace Records Management and Archives registry

under “[applicant’s first and last name]’ and [the applicant’s] student number. The searches were filtered to exclude records that did not represent the relevant year, team, campuses and classifications.

The above searches were completed by staff in Student Support Services and a Senior Records Officer (Records Management).

The reason why BKSBLive, READ Archiving and G:Drive were searched is because information about students who have accessed Student Support Services are saved in these locations. No documents were located in these locations.

The reason why the searches in the RAD database and Grace registry were completed and the search results are explained at [paragraph 35 of this decision] ... regarding TAFE Qld (SkillsTech) Cert II - Electrotechnology.

45. For Part 7 Workplace Health and Safety of Category 3, the preliminary view stated:

The following locations were searched:

- * G:\Resource Management\Workplace Health & Safety
- * All Outlook Items from the Health Safety and Wellness Manager’s email account.
- * RAD database
- * Grace Records Management and Archives registry

under [applicant’s first and last name]’ and [the applicant’s] student number. The searches were filtered to exclude records that did not represent the relevant year, team, campuses and classifications.

The above searches were completed by the Health Safety and Wellness Manager (Health, Safety and Wellness) and a Senior Records Officer (Records Management).

The reason why G:Drive and the Manager’s Outlook account were searched is because information about WH&S incidents would have been saved in these locations. No documents were located in these locations. TAFE confirmed that no records existed.

The reason why the searches in the RAD database and Grace registry were completed and the search results are explained at [paragraph 35 of this decision] ... regarding TAFE Qld (SkillsTech) Cert II - Electrotechnology.

46. Finally, for Part 8 Apprenticeship of Category 3, the preliminary view stated:

The following locations were searched:

- * SMS
- * B2E
- * G Drive
- * Delta
- * Toledo
- * Partner Portal
- * DRSWEB
- * RAD database
- * Grace Records Management and Archives registry

under [applicant's first and last name], [the applicant's] date of birth, student number and registration number. Some of the searches were filtered to exclude records that did not represent the relevant year, team, campuses and classifications.

The above searches were completed by staff in Apprenticeship Management and a Senior Records Officer (Records Management).

The reason why these locations were searched, search terms and results are explained in detail at [paragraph 35 of this decision] ... regarding TAFE Qld (SkillsTech) Cert II - Electrotechnology.

Note: *Searches were completed in SMS for [the applicant's] Senior Studies records and copies of the training plan (both signed and generated copies) were located. See [above] under 'SMS – CIAnywhere' regarding 'TAFE Qld ([particular TAFE institute]) – Senior Studies' at [paragraph 39 of this decision].*

Further information was located from the SMS system and Partner Portal and I ... asked TAFE to release this to [the applicant] by 28 May 2025.^[63]

Category 4 – Diploma of Business and Commerce documents

47. For Part 1 Admission and enrolment of Category 4, the preliminary view stated:

The searches for these documents are explained [at paragraph 39 of this decision] under TAFE Qld ([particular TAFE institute]) – Senior Studies.

48. For Part 2 Academic of Category 4, the preliminary view stated:

The following locations were searched:

- * Grace Records Management and Archives
- * G Drive from [particular TAFE institute]
- * DRSWEB (ISAS – Legacy System)

⁶³ TAFE released this information on 22 May 2025.

Search terms used: '[applicant's first and last names]', '[shortened version of applicant's first name and applicant's last name]', '[initial of applicant's first name and applicant's last name]', '[applicant's last name]', '[the applicant's] student number, '389277QLD'⁶⁴ and 'Commerce'.

TAFE explained that these locations were searched because records from this time would have been archived or kept on this legacy network drive.

Searches were completed by the Delivery Support Manager in Applied Science and Business.

These searches located a copy of [the applicant's] academic transcript. I ... asked TAFE to release this to [the applicant] by 28 May 2025.⁶⁵ TAFE explained that there were no teacher notes, intervention plans, academic monitoring arrangements or health information located and there is no evidence that these documents existed.

49. For Part 3 Learning support, Part 4 Behaviour management, Part 5 Student misconduct, Part 7 Workplace health and safety, Part 8 Human Research and Part 9 Other of Category 4, the preliminary view stated:

The following locations were searched:

- * *Grace Records Management and Archives*
- * *G Drive from [particular TAFE institute]*

Search terms used: '[applicant's first and last names]', '[shortened version of applicant's first name and applicant's last name]', '[initial of applicant's first name and applicant's last name]', '[applicant's last name]', '[the applicant's] student number, '389277QLD' and 'Commerce'.

TAFE explained that these locations were searched because records from 2014 would have been archived or kept on this legacy network drive.

Searches were completed by the Delivery Support Manager in Applied Science and Business.

TAFE explained that there were no documents located nor any evidence that these documents existed.

50. Finally, for Part 6 Student welfare of Category 4, the preliminary view stated:

The following locations were searched:

- * *Grace Records Management and Archives*
- * *G Drive from [particular TAFE institute]*
- * *Counselling CRM, current and archived documents for Accessibility Services (Support Services)*

Search terms used: '[applicant's first and last names]', '[shortened version of applicant's first name and applicant's last name]', '[initial of applicant's first name and applicant's last name]', '[applicant's last name]', and [the applicant's] student number.

TAFE explained that these locations were searched because:

- * *records from 2014 would have been archived or kept on this legacy network drive*
- * *counselling records are stored in the Counselling CRM or would have been archived.*

Searches were completed by the Delivery Support Manager in Applied Science and Business and the Student Support Manager.

⁶⁴ In stating this course code, my preliminary view relied on information provided by TAFE. However, on 9 October 2025, TAFE advised that this course code for the Diploma of Business and Commerce contained an error (i.e. an additional digit); however, searches had used the correct code.

⁶⁵ TAFE released this information on 22 May 2025.

TAFE explained that there were no documents located nor any evidence that these documents existed.

51. The applicant did not accept my preliminary view and provided a detailed page submission and supporting documents.⁶⁶ In short, he contended that TAFE had not discharged the onus upon it to take all reasonable steps to locate responsive documents and requested that further steps be taken and explanations provided. I considered that some of the points raised in the applicant's submission were sufficient to support further inquiries with TAFE.⁶⁷
52. No further documents were located as a result of those inquiries.⁶⁸ So as to demonstrate the comprehensive nature of its searches, TAFE did, however, provide clarification regarding how various systems and locations referred to in my preliminary view starting at paragraph 35 are or were used, and the nature of information stored on them. This information is footnoted in my above preliminary view, for ease of reference as relevant for the systems and locations in question.

Findings

53. The following comprises my consideration of whether access to further documents may be refused on the basis that they do not exist or cannot be located, addressing the points made in the applicant's submissions and taking into account the information provided by TAFE explaining its searches and inquiries.
54. The applicant's submission included six appendices. The first four of these addressed the four respective categories of documents requested by him in some detail, the fifth identifies additional locations he considers should be searched, and the sixth provides details regarding courses and particular subjects studied by him which he considered should be used as search terms.
55. I have grouped the applicant's submissions by nature of concern. While each submission is not addressed individually, it has been considered and, where relevant, addressed.

Submissions that searches did not account for the restructure of TAFE

56. Throughout his submissions, the applicant submitted pre-2013 documents were transferred to and should reside with the department responsible for administering TAFE, and contends further inquiries and searches (including of OneSchool) regarding such documents are required.
57. The applicant considers the TAFE entities he attended were dissolved on 1 July 2013, with their records passed to a department on this date. However, the provision cited by the applicant in support of this position⁶⁹ relates to only two statutory TAFE institutes, neither of which he attended.⁷⁰
58. The following is evident in the provisions which effected the changes to TAFE's structure and governance, and TAFE's submissions confirm this understanding:

⁶⁶ Letter to OIC dated 30 June 2025.

⁶⁷ Email to TAFE dated 14 August 2025.

⁶⁸ Email to OIC dated 9 October 2025.

⁶⁹ Section 6 of the expired *TAFE Queensland Regulation 2013 (Qld) (2013 Regulation)*.

⁷⁰ The particular statutory institutes were Gold Coast Institute of TAFE and Southbank Institute of Technology – see section 4 of the 2013 Regulation.

- Initially, there were multiple TAFE institutes, each of which were established by the relevant Minister and administered by the chief executive of the then department with administrative responsibility.⁷¹ The TAFE institutes the applicant attended were administered in this way from the beginning of the time period specified in his application, that is 1 January 2010.
- TAFE Queensland was established on 1 July 2013.⁷² On this date, the two statutory TAFE institutes raised in the applicant's submissions, neither of which he attended, were dissolved and their records passed to the then department.⁷³
- The responsibility for all continuing TAFE institutes,⁷⁴ including those attended by the applicant, passed from the then department to TAFE Queensland a year later, on 1 July 2014.⁷⁵ It was at this time that the various TAFE institutes' departmental records became records of TAFE Queensland.⁷⁶

59. To the extent the applicant's submissions may be generally understood as contending that further searches and inquiries with the current department are required, to ensure that all records of the TAFE institutes he attended were passed from the department's previous iteration to TAFE, TAFE has submitted:

Prior to and post 1 July 2014, a Cabinet Budget Review Committee (CBRC) decision was made to provide [TAFE] with funding to establish its own systems, i.e. Finance system, Student Management system, HR system, electronic Documents Management System (eDRMS). This project was run over a 5 year period and the outcome was to transition all TAFE-related (used only by TAFE Queensland) systems from [the then Department] to [TAFE] so that [TAFE] operated its own systems/databases. Some ICT functions remained in [the then Department's] systems until they were replaced with TAFE Queensland systems, eg. SMS (Oracle) and Finance (SAP). The last system to be replaced was the SMS from the Oracle product to the TechnologyOne product in August 2018.

60. There is nothing before me to suggest that any documents of any of the TAFE institutes attended by the applicant were not transferred from the then department to TAFE. In any event, I note that it is open to the applicant to make a separate access application to the current iteration of the department about documents in its possession or control, and that he has indeed done so.⁷⁷
61. The applicant's submissions of this nature do not raise a reasonable basis for further searches or inquiries.

Submissions that wrong locations were searched for Category 2 documents

62. The applicant also submitted that TAFE searched the wrong locations for Category 1 documents because the Certificate II Electrotechnology course was part of a school-based program, not an apprenticeship. Given this, he considers TAFE's searches of locations where apprenticeship documents may be stored were misdirected, and requests other searches, including searches of OneSchool.

⁷¹ Sections 192 and 217 of the repealed *Vocational Education, Training and Employment Act 2000* (Qld) (**VETE Act**).

⁷² By section 5 of the *TAFE Queensland Act 2013* (Qld) (**TAFE Act**).

⁷³ See section 53 of the TAFE Act, and section 70 and schedule 1, part 2, item 34 of that Act as made (No. 27 of 2013) (noting that the two statutory institutes were established under chapter 6A of the VETE Act) and sections 4, 14 and 15 of the 2013 Regulation.

⁷⁴ Except Central Queensland Institute of TAFE, the successor of which was Central Queensland University – see sections 18 and 35 of the 2013 Regulation as amended by the *TAFE Queensland Amendment Regulation (No. 1) 2014* (Qld) (**2014 Regulation**).

⁷⁵ See section 18, 19 and 22 of the 2013 Regulation as amended by the 2014 Regulation.

⁷⁶ See section 30 of the 2013 Regulation as amended by the 2014 Regulation.

⁷⁷ This application resulted in external review 317874 and OIC decision *V25 and Department of Trade, Employment and Training* [2025] QICmr 79 (11 November 2025).

63. While the applicant may have the expectation that TAFE would store documents for a particular course differently depending on whether the student in question was a school student or apprentice, I do not consider it reasonable to expect TAFE would make this distinction. I accept, as evident from TAFE's submissions and searches, that TAFE employed the same records management processes for similar and related Skillstech courses (that is, Certificate II Electrotechnology and Certificate III Electrotechnology), and therefore used the same storage locations, for all students.
64. These submissions do not raise a reasonable basis for further searches or inquiries.

Submissions requesting further information about searches already conducted

65. The applicant also sought further information regarding various searches conducted by TAFE. Where OIC considered that clarification or further detail was reasonable in order to understand the extent of TAFE's searches, OIC requested further information from TAFE, and TAFE responded as follows:

- a. The applicant sought further information about search terms used by TAFE, particularly student numbers. OIC requested⁷⁸ that TAFE provide further information, and TAFE confirmed:⁷⁹

References to 'student identification number' and 'TAFE student number' are the same.

The applicant's student numbers searched for applicable systems and locations are [9 digit number] and [10 digit number].

We can confirm that the applicant's name and student number were used as search terms for all applicable systems and locations.

...

The student number applicable to the specific system is what would have been searched.

...

[For example, in relation to Part 7 Workplace health and safety of Category 2 – Senior Studies documents] The student number [10 digit number] was used for the search, as it corresponds to the applicant's enrolment in Senior Studies.

- b. In terms of Part 7 Workplace health and safety documents, the applicant sought clarification regarding the searches conducted. TAFE confirmed that, for Category 2, the TQB WHS Manager was not asked to conduct searches as it was determined the faculty would have more direct access to relevant records. TAFE also confirmed that, for Category 1 and Category 3, the WHS Manager for TAFE Skillstech conducted a search of G Drive including "EV010 Work Injury/Incident Report" records during the period 01/01/2010 – 01/01/2011 for all campuses.
- c. For Part 7 Workplace health and safety documents in Category 4, as well as other parts of that category, the applicant's submissions questioned why the G Drive from the particular TAFE institute had been searched – for example, *'[t]he Diploma of Business & Commerce is a Tafe Queensland program; it has nothing to do with [the particular TAFE institute]'*. In this regard, TAFE confirmed this was searched because the campus at which the applicant was studying his diploma had, until 1 July 2014, been one of the relevant TAFE institute's campuses. The applicant also queried why DRSWEB had not been searched. TAFE confirmed it was an error that

⁷⁸ Email to TAFE dated 14 August 2025.

⁷⁹ Email to OIC dated 9 October 2025.

it had not stated this in information provided to OIC previously, and confirmed that it had in fact searched DRSWEB.

- d. In relation to Part 8 Human Research documents in Category 4, the applicant requested that TAFE make inquiries regarding research projects undertaken by a specified individual in 2014. In response, TAFE confirmed that *'TAFE Queensland does not undertake research activities of the nature described'*.
- e. In terms of Part 8 Apprenticeship documents for and Category 3, the applicant noted that other applications made by him to the State department which had administrative responsibility for apprenticeships and the relevant Commonwealth department also failed to locate his training contract. He submitted if TAFE could not locate the training contract, TAFE must have case notes etc explaining why it does not have it. TAFE explained to OIC that it does not receive full training contracts. Rather, it downloads information from apprentice service provider portals and imports this into its SMS. I accept this explanation, and consider it accounts for why the training contract has not been located by TAFE.
66. A second preliminary view conveying the above clarification and further detail was not conveyed to the applicant. While I carefully weighed whether the applicant should be given the opportunity to respond make further submissions taking into account TAFE's responses, I considered that *'[p]rocedural fairness is not like a potentially endless game of tennis where every submission...hit over the net had to be returned...[n]or is procedural fairness to be equated with a duty of unlimited discovery'*.⁸⁰
67. Otherwise, the applicant's requests for more information sought greater detail regarding how particular searches were performed. For example, in relation to searches of the G: drive for TAFE Skillstech for documents responsive to Part 1 Admission and enrolment documents in Categories 1 and 3, appendices 1 and 3 of the applicant's submissions state:

In the case that the TAFE Skillstech G Drive is the relevant drive ..., I ask that the OIC request further information from Tafe regarding how searches within that drive were undertaken, including, for example, the time-periods, campuses and programs the drive relates to, how documents are searchable within the drive, the specific folders or containers within the drive that were considered relevant and the specific search terms Tafe used to conduct searches (Tafe did not identify the student / registration numbers it used).

...

1. *Tafe needs to explain where the TAFE Skillstech G:Drive is currently located and who has control over the drive (i.e. department, Tafe, QSA).*
2. *Tafe needs to explain how documents within the drive are locatable (i.e. are all files and their contents indexed and searchable via a document retrieval system or are the files identified via their file paths and file names with reference to a business classification scheme?).*
3. *Tafe needs to explain how it conducted searches within the drive (i.e. specific paths / folders considered relevant to the documents sought after).*

68. Also for example, in relation to searches of DRSWEB and the Grace registry for documents responsive to Part 1 Admission and enrolment documents in Category 4, as well as other parts of that category, appendix 4 of the applicant's submissions states that TAFE *'needs to better explain the searches conducted ..., including ... relevant folders / containers / partitions / file paths searches were conducted within, and any relevant filters applied to the searches'*.

⁸⁰ As observed in *Calardu Penrith Pty Ltd v Penrith City Council* [2010] NSWLEC 50 at [180] and accepted in *Vega Vega v Hoyle & Ors* [2015] QSC 111 at [176].

69. As well as requests of this nature, the applicant's submissions also include more general assertions that further information about searches is required. For example, with respect to Category 1, the applicant made the following submission regarding all parts except Part 1 Admission and enrolment and Part 7 Workplace Health and Safety:

Tafe needs to provide further information the about drives, systems and locations ...

...

Tafe needs to provide further information about its searches, including the systems / locations searched, why those locations were searched, and how searches were conducted.

70. Also, for example, with respect to Category 4, the applicant made the following submissions regarding documents responsive to Part 2 – Academic documents and Part 6 – Student welfare respectively:

Tafe needs to provide better explanations about the searches it conducts.

...

Tafe needs to provide better explanations of its searches.

71. While the applicant may hold the view that such further information regarding TAFE's searches and inquiries are relevant and needed to satisfy himself about the adequacy of those searches and inquiries, I am not satisfied that this is required. I cannot see, and the applicant's various requests do not indicate, how the further information sought by him is necessary or reasonably required in order to understand the steps taken by TAFE. In the circumstances, I consider that the information provided by TAFE about the searches and inquiries it has undertaken, as summarised in my preliminary view along with the clarification and further detail set out above, are sufficient for the purpose of understanding the steps taken by TAFE.

72. These submissions do not call into question the nature, relevance or effectiveness of TAFE's searches, nor do they raise any reasonable basis for further searches or inquiries.

Submissions about retention of Part 1 documents

73. The applicant submitted that, for the courses he enrolled in as a minor, the retention period for the Part 1 Admission and enrolment documents was ongoing and, accordingly, such documents should not have been destroyed yet for Categories 1, 2 or 3. In this regard, the applicant relied on a 2024 education and training sector retention and disposal schedule.

74. I note that TAFE located and released ISAS details regarding the applicant's enrolment in TAFE subjects.⁸¹ These details were provided in the form of an Excel spreadsheet with 29 columns of information regarding the applicant's enrolment in 88 different subjects, as recorded on TAFE's then administration system, and were responsive to Part 1 Admission and enrolment documents across all four categories. TAFE also located and released two requests for VET FEE-HELP assistance form signed by the applicant on 13 February 2014 and 31 July 2014,⁸² which may be considered responsive to Part 1 Admission and enrolment documents for Category 4.

75. Taking into account the various types of documents listed the access application in relation to Part 1 Admission and enrolment for all four categories of documents, it is my understanding that the applicant considers that further Part 1 documents – for example,

⁸¹ As noted at l) in right hand column at paragraph 32 above.

⁸² As noted at i) and j) in right hand column at paragraph 32 above.

forms and possibly other documents provided by him to TAFE for the purpose of enrolling him in various subjects, and copies of TAFE's communications with him regarding same – should have been retained and therefore located in response to his application.

76. TAFE advised that, during its restructure (as mentioned above starting at paragraph 56) and following, documents were stored at Grace Records Management and Archives. Of these, Skillstech records were registered using the RAD database until 2022, and therefore documents responsive to Categories 1 and 3 would be registered on this database. For documents responsive to Categories 2 and 4, records were registered on the Grace registry, however, *'varying archiving practices'* were used.
77. TAFE identified a destruction record regarding documents classified as 'Student Administration File' for Category 3. Possibly, this file contained at least some of the types of documents noted in paragraph 75. The destruction record for this file indicates that documents on it were treated as though subject to a 7 year retention period. Consistent with this, the file was destroyed in 2020.
78. For the other three categories, neither documents of the type noted in paragraph 75 above nor a potentially relevant destruction record were located.
79. OIC made inquiries with TAFE about the applicable retention period, and whether Part 1 Admission and enrolment documents for Category 3 had been destroyed before expiration of that period. TAFE replied *'[w]e do not have records which we can refer to on this query. Accordingly we cannot provide any further insight into the destruction'*. OIC also inquired whether TAFE had any record of the disposal of Part 1 documents for Categories 1 and 2 which, according to the applicant, continued to be subject to ongoing retention periods given he was a minor at the time of enrolment. In response, TAFE stated *'consolidation of records and the use of varying archiving practices have resulted in the loss of metadata, which has compromised the integrity of the registries. As a result, we are unable to confirm whether these records have been destroyed'*.
80. Leaving aside the question of whether the retention period for Part 1 Admission and enrolment documents was 7 years (as the destruction record mentioned above may indicate) or is ongoing for courses commenced while the applicant was a minor (as the applicant contends), the specific question I am required to determine at this point is whether TAFE has taken all reasonable steps to locate any Part 1 documents stored at Grace Records Management and Archives. This involves consideration of TAFE's explanation of its searches, including its searches of the RAD database and the Grace registry, as well as the other searches conducted by it for Part 1 documents.
81. While it seems possible that at least some of the Part 1 Admission and enrolment documents of the type noted at paragraph 75 above were at some point stored at Grace Records Management and Archives, they cannot be located, and I cannot identify any further steps that TAFE could reasonably be required to take in terms of searching this particular location. In the circumstances, I am satisfied that these submissions do not raise any reasonable basis for further searches or inquiries for Part 1 documents, as stored at Grace Records Management and Archives.

Submissions that further locations / systems should be searched

82. The applicant's submissions also raise *further locations and systems* that he considers should be searched. Some of the applicant's submissions about further locations and systems he considers should be searched are general in nature. For example, with respect to Category 1, the applicant made the following submission regarding all parts except Part 1 Admission and enrolment and Part 7 Workplace Health and Safety:

Tafe needs to conduct further searches in the drives, systems and locations identified as being relevant ...

83. Such general submissions appear throughout appendices 1 to 4 of the submissions regarding the four categories of documents. They also appear in the applicant's submission about 'archived drives' in Appendix 5, where the applicant submits that TAFE should identify *'further relevant drives absent from consideration'*.
84. At the beginning of appendix 5 to the submissions, the applicant states:
- Appendices 1-4 focus on responding to your preliminary views for each of the programs relevant to my application, and while I have already made submissions for further actions to be taken with regards to the issues I have identified in your preliminary view, the main purpose of appendix 5 is to provide a list of additional search locations that were not considered by Tafe when they processed my request.*
85. Appendix 5 goes on to identify various locations and systems the applicant considers should be searched. I made inquiries with TAFE regarding those which had not already been addressed.
86. In relation to Oneschool, Senior Learning Information Management System (SLIMS), MyTafe, Corporate Data Warehouse (CDW), State Training Agency Clearing House (STAC) and MyHR / Pro-Audit, TAFE stated *'[w]e are unaware of any such system being used by TAFE Queensland'*. Given some of the other systems raised listed in appendix 5 were departmental records management systems and client management systems, it appears likely that these systems / locations may relate to the relevant department, not TAFE. Accordingly, in relation to these systems / locations, I repeat and rely on my comments regarding the restructure of TAFE (as mentioned above starting at paragraph 56).
87. In relation to TAFE's records management systems, TAFE confirmed that *'TRIM, HP Records Manager and HP Enterprise Content Manager are legacy systems that we no longer have access to. Technology One Enterprise Content Manager was searched (note this is our current record management system and also holds data migrated from our legacy systems)'*. I do not consider it reasonable to require searches of previous systems such a TRIM and HPE. It is reasonable to expect that records from these systems would have been included at the time records were migrated to the current system. Noting that the current system has been searched, and in the absence of further detail from the applicant, I do not consider it reasonable to explore this further.
88. In relation to the TAFE Institute Student Administration System (ISAS) as raised in Appendix 5, TAFE explained ISAS's records are retained by DRSWEB⁸³ and in doing so confirmed that its searches of that system comprised searches of ISAS.
89. In relation to TAFE Connect as raised in Appendix 5, TAFE explained that it commenced using this system in 2013 and it *'does not store records (other [than] logging sign in and sign out activities and ... details of a students [sic] online assessment results)*. Given this response, it appears possible that some Part 2 Academic information for Category 3 and 4 may be stored on this system, given the applicant attended his Certificate III Electrotechnology and Diploma of Business and Commerce courses from 2013 onwards. Accordingly, it appears that further searches of this system for online assessment results may be *possible*.

⁸³ That it is a 'Legacy system that retains College Administration Program (1992-2004) and ISAS (Institute Student Administration System (2004-2018) and historical records (1979-2004). Includes information about recognition of prior learning ('RPL').

90. In relation to emails as raised in Appendix 5, the applicant asserted that searches of relevant staff emails – for example, ‘*program directors, teachers, WHS campus specific managers / officers*’ – should be conducted. While I did not seek TAFE’s response in this regard, I anticipate that such searches may be *possible*.
91. Finally, in relation to documents residing with Queensland State Archives (**QSA**) as raised in Appendix 5, the applicant considers that enquiries should be made regarding documents which have relatively long retention periods, specifically Part 1 – Admission and enrolment documents and Part 7 Workplace Health and Safety documents.
92. In relation to any Part 1 Admission and enrolment documents transferred to QSA, noting the likelihood that at least some admission or enrolment documents responsive to Part 1 would have existed at some point, I accept that inquiries with QSA may be *possible* in this regard.
93. However, for Part 7 Workplace Health and Safety documents transferred to QSA, I note that the applicant has at no stage provided any information about his involvement in, or even simply awareness of, any circumstances giving rise to workplace health and safety concerns during his time at TAFE. In absence of any material to suggest the existence of documents regarding such concerns, and also noting the applicant is best placed to have provided such material, I consider it reasonable to conclude that the applicant has not met the practical onus on him to call into question TAFE’s fulfilment of its search obligations.
94. My assessment of the further searches and inquiries I consider to be *possible* (as noted at paragraphs 89, 90 and 92) is set out below.

Submissions that additional search terms should be used

95. Throughout appendices 1 to 4 of the applicant’s submissions regarding the four categories of documents, the applicant either identifies particular additional search terms he considers should be used, or refers to the need to use information listed in some or all of the ten entries in appendix 6 that he considers should be used as search terms. Also, in appendix 5, for most of the further locations and systems that he considers should be searched, the applicant again refers to entries in appendix 6 that he considers should be used as search terms.
96. According to the applicant, *[a]ppendix 6 contains a list of relevant identifiers I constructed for the purpose of assisting Tafe in conducting further, more targeted searches*. Entry 1 of appendix 6 comprises the applicant’s personal details as follows:

1.	Personal details:
<i>Name:</i>	[first name] [last name]
<i>Date of birth:</i>	...
<i>Representatives / contacts:</i>	[names of three individuals]
<i>Tafe student number:</i>	[10 digit number]
<i>SMS student ID:</i>	[9 digit number]
<i>DETA apprentice registration Number (ARN):</i>	[different 9 digit number]
<i>Apprentice student number:</i>	[different 10 digit number]

97. The remaining nine entries relate to various courses, programs and subjects attended by the applicant. Of these, entries 2, 7, 8 and 9 comprise information regarding the applicant’s studies of a Certificate II in Electrotechnology, Senior Studies, a Certificate

III in Electrotechnology Electrician and a Diploma of Business and Commerce Studies and therefore appear most relevant to the four categories of documents in issue in this review. By way of example, the latter consists of the following:

9.	<i>Diploma of Business and Commerce Studies</i>
<i>Year:</i>	2014
<i>Institute:</i>	[particular TAFE institute]
<i>Location:</i>	[particular TAFE location]
<i>Academic Organization [sic]:</i>	[organisation code]
<i>ISAS Academic Career:</i>	VET
ISAS Academic Program Code:	[program code]
<i>ISAS Course Codes:</i>	[22 different course codes]
<i>Tafe Program Code:</i>	[number ending in QLD] ⁸⁴
<i>Tafe Module Codes:</i>	[22 different module codes]

98. I accept that when conducting each search of each relevant location or system, it would be *possible* for TAFE to use the information provided in Appendix 6. Searches using these search terms are assessed below.
99. My assessment of these further searches is set out below.

Assessment of further locations and systems and additional search terms

100. As set out above, I have considered the *further locations and systems* the applicant considers should be searched, and the *additional search terms* that the applicant considers should be used when conducting searches.
101. I have considered these proposed searches within the context of the documents located by TAFE's searches and released to the applicant are set out at paragraph 32 above. The located documents span all four categories of the applicant's request, but largely comprise documents falling within Part 2 Academic, with a small number also falling within Part 1 Admission and enrolment (as noted at paragraph 74 above) and Part 8 Apprenticeship of Category 3.⁸⁵ The located documents contain nothing to support a reasonable belief that further documents responsive to either those parts, or any other part of any of the four categories, ought to exist.
102. I have also considered these proposed searches within the context of the wording of the applicant's access application and his submissions during the review. These contain nothing which supports the existence of documents responsive to certain parts of each category – specifically, Part 3 Learning Support, Part 4 Behavioural Management, Part 5 Student misconduct, Part 6 Student welfare, Part 8 Human Research, Part 9 Other or, as already mentioned at paragraph 93 above, Part 7 Workplace Health and Safety.
103. While the detail provided by the applicant in his access application regarding these parts is relatively specific regarding applicable processes, there is no information or evidence of any specific circumstances that actually occurred, or even possibly occurred, that would prompt any such processes, and thereby result in documents responsive to these parts. The absence of any detail or specificity which could indicate the possible existence of such documents, combined with the fact that the applicant would be best placed to provide such detail or specificity yet has not done so, is relevant to my considerations regarding the reasonableness of TAFE's searches and the adequacy of its explanations.

⁸⁴ Note – my preliminary view incorrectly included an additional digit in this code, in reliance on submissions received from TAFE, however TAFE's submission of 9 October 2025 confirmed that the additional digit was a typing error.

⁸⁵ As noted at a), g) and h) in right hand column at paragraph 32 above.

104. Further, I have considered these proposed searches within the context of the nature and extent of searches conducted by TAFE, and its responses explaining these searches with reference to its record-keeping and information management systems over the years. I am satisfied that TAFE has conducted targeted searches of the locations where it would be reasonable to expect responsive documents to be located, based on its knowledge of its current and past structure, functions, practices and processes.
105. The applicant's general submissions that TAFE needs to conduct further searches of drives, systems and locations identified as being relevant do not, in my opinion, discharge the practical onus on the applicant to establish that TAFE has not taken all reasonable steps to locate responsive documents. Further, taking into account TAFE's searches and explanations, I am satisfied that most of the applicant's more specific submissions in appendix 5 do not raise further locations or systems that TAFE ought to search in order for to it to have taken all reasonable steps.
106. I accept, as noted at paragraph 89 above, that further searches of TAFE Connect for online assessment results from 2013 onwards are *possible*. In this regard, I note that the various types of documents listed in the access application in relation to Part 2 Academic for all categories include '[m]y academic results / report cards', which would seem to cover online assessment results.
107. However, I also note that three of the documents located and released to the applicant⁸⁶ include final grades or results for the various subjects attended by the applicant throughout his studies with TAFE. I note that, if any online assessment results were located as a result of searching TAFE Connect, they would either repeat the information about grades and results already released to the applicant, or indicate how the applicant performed in pieces of assessment which contributed to those grades and results and, in doing so, provide a level of detail beyond that which the applicant's application may reasonably be construed as requesting, and also beyond that which his submissions on review have expressed interest in. In these circumstances, while it may be *possible* to search TAFE Connect for online assessment results, I do not consider this would be *reasonable*.
108. I also accept, as noted at paragraph 90 above, that further searches of the emails accounts of certain TAFE staff – for example, '*program directors, teachers, WHS campus specific managers / officers*' – are *possible*.
109. The applicant has not, however, provided any information to indicate why such email accounts would include emails sent by, to or about him. I have noted, at paragraphs 93, 102 and 103 above, that the applicant has not provided any detail or specificity about circumstances which could result in documents responsive to most parts of the four categories. Similarly, I note that the applicant has not identified any circumstances which would result in the program directors of his studies or the teachers of the 88 subjects attended by him⁸⁷ communicating with or about him by email. Accordingly, while searches of these email accounts may be *possible*, they are not in my opinion *reasonable*.
110. I also accept, as noted at paragraph 92 above, that inquiries with QSA regarding some Part 1 Admission and enrolment documents are *possible*.

⁸⁶ As set out in the table at paragraph 32 above – see ISAS details regarding the applicant's enrolment in TAFE subjects noted at l) in right hand column; unofficial academic history of the applicant's TAFE studies noted at d) in the left hand column and m) in right hand column; and academic history of the applicant's TAFE studies noted at e) in the left hand column and n) in right hand column.

⁸⁷ As recorded in the ISAS details released to him at l) in right hand column at paragraph 32 above.

111. However, given the record of destruction regarding a 'Student Administration File' for Category 3 noted at paragraph 77 above, there appears to be little basis for any inquiries with QSA regarding that category. For the other three categories, there is nothing before me to indicate that Part 1 documents were passed to QSA by either Grace, assuming such documents were placed with it, or TAFE itself, if they were not. If such documents were placed with Grace, the destruction of them after 7 years (consistent with the destruction of the 'Student Administration File' for Category 3) is, in the circumstances, possible but unconfirmed. Overall, I consider the varying archiving practices acknowledged by TAFE (at paragraph 79 above) render it relatively unlikely that any Part 1 documents were transferred to QSA. I am accordingly satisfied that while further steps involving inquiries with QSA are *possible*, they are not *reasonable*.
112. Finally, I have considered the many additional search terms the applicant considers should be used. For example, with respect to Category 4 documents, it appears that the applicant contends that search terms should include information in the two entries in appendix 6 set out at paragraphs 96 and 97 above. Even if only some of this information were used as search terms – for example, additional student numbers and relevant course / program codes – this would still entail entering around 20 additional search terms when searching each location / system.
113. Notably, however, other parts of the applicant's submissions suggest additional search terms relying on more than two entries in appendix 6. In some instances, the applicant states that eight entries in appendix 6 contain information which should be used as additional search terms. In other instances, the applicant's general references to appendix 6 appear to indicate a view that information in all ten entries should be used as additional search terms. Such submissions appear to be suggesting the use of approximately 50 additional search terms when searching each location / system.
114. Using 20 or 50 additional search terms for each location / system, across the many locations / systems noted in my preliminary view, would entail many more searches. While these searches may be possible, I consider they would extend beyond what is reasonable in two senses.
115. Firstly, such searches would serve no practical purpose. When search terms more likely to yield relevant documents (such as the applicant's name and relevant student number) have already been used, I do not consider it reasonable to conduct further searches using other student numbers which have less or no relevance to the particular location / system being searched, or using course, program or subject codes likely to identify general information about courses, programs or subjects rather than information relating to the applicant.
116. Also, such searches would result in a volume of searches extending beyond what may reasonably be expected of any agency in response to one access application. This observation applies not only to the additional search terms raised by the applicant; it also applies to the searches of further locations / systems raised by him.
117. I am satisfied that TAFE has conducted all searches and inquiries which could reasonably be required when responding to an access application whose terms cover as broad a range, and contain as many parts, as the applicant's request.
118. I do not consider it reasonable for the applicant to cast such a broad net and enjoy the benefits of a proportionately focussed range of searches – and then also expect that he should be afforded the opportunity to engage in detailed enquiries regarding certain aspects of his application as part of the same request. To expect this would require TAFE

to undertake significantly more than all reasonable steps required for an access application of this nature.

119. In conclusion, taking into account the above considerations, I am satisfied that TAFE has taken all reasonable steps to locate information responsive to the information requested in the applicant's access application. Accordingly, I find that access to further responsive information may be refused on the ground that it is nonexistent or unlocatable.⁸⁸

Conclusion

120. The above are the reasons for my decision set out at paragraph 1.
121. I have made this decision under section 123 of the IP Act as a delegate of the Information Commissioner under section 139 of the IP Act.

⁸⁸ Under section 67(1) of the IP Act and section 47(3)(e) of the RTI Act.